

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

5:23-CR-00165-M-1

UNITED STATES OF AMERICA,

Plaintiff,

v.

KOJO OWUSU DARTEY,

Defendant.

ORDER

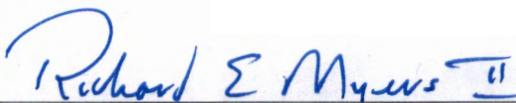
This matter comes before the court on Defendant's motion for relief from Local Criminal Rule 61.1(f) so that his counsel may "respond to unfair statements" made about Defendant in a press release from the United States [DE 176]. The United States opposes the motion. DE 179.

Local Criminal Rule 61.1(f) instructs that:

After the completion of a trial . . . and prior to the imposition of sentence, an attorney or a law firm associated with the prosecution or defense shall not make or participate in making an extra-judicial statement that a reasonable person would expect to be disseminated by public communication *and that is reasonably likely to affect the sentence*.

Local Criminal Rule 61.1(f) (emphasis added). Defendant's motion is DENIED AS MOOT because the United States' press release does not contain any statements that are reasonably likely to affect Defendant's sentence. *See* DE 176-1 at 1-2. Any proportionate response by Defendant's counsel would likewise be consistent with the Local Criminal Rule; Defendant therefore does not require relief from the Rule in order to respond.

SO ORDERED this 20th day of May, 2024.



RICHARD E. MYERS II
CHIEF UNITED STATES DISTRICT JUDGE